

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CYMEYON HILL,

Plaintiff,

v.

GOVERNOR NEWSOM, et al.,

Defendants.

No. 2: 20-cv-1652 KJN P

ORDER

Plaintiff is proceeding without counsel with a civil rights action pursuant to 42 U.S.C. § 1983. On September 25, 2020, the undersigned issued an order finding that plaintiff was obligated to pay the filing fee of \$350.00 for this action. (ECF No. 7.) This order directed the Director of the California Department of Corrections and Rehabilitation to send the Clerk of the Court the initial filing partial filing fee and thereafter payments from plaintiff's prison trust account.

However, plaintiff is not obligated to pay the filing fee because he is a civil detainee and not a state prisoner. Therefore, the September 25, 2020 order was issued in error.

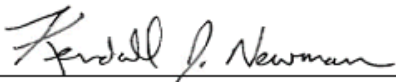
Accordingly, IT IS HEREBY ORDERED that:

1. The September 25, 2020 order finding that plaintiff is obligated to pay the filing fee is vacated;

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2. The Clerk of the Court is directed to serve this order on the Director, California Department of Corrections and Rehabilitation, 1515 S Street, Sacramento, CA, 95814;
3. The Clerk of the Court is directed to serve a copy of this order on the Financial Department of the court.

Dated: September 29, 2020


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

Hill1652.vac